

00862.023357.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: A. Mai
MASAKI SUZUI)	
	:	Group Art Unit: 2832
Application No.: 10/729,945)	
	:	
Filed: December 9, 2003)	
	:	
For: ELECTRICAL DEVICE AND)	
METHOD OF PRODUCING	:	
THE SAME)	November 15, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.181 TO
WITHDRAW HOLDING OF ABANDONMENT
BASED ON NON-RECEIPT OF OFFICE ACTION

Sir:

This is a Petition under 37 C.F.R. § 1.181 to withdraw a holding of abandonment in the subject application. While it is believed that no fee is necessary for this Petition, should a fee be required, the Director is hereby authorized to charge any such fee to Deposit Account No. 50-3939.

The Examiner responsible for the above-identified application contacted Petitioner's representative to inquire whether Petitioner intended to abandon the application, since a response to an Office Action that was mailed on February 28, 2006 has not been received by the Patent Office. The undersigned telephoned the Examiner and informed her that Petitioner never intended to abandon the application and that a cursory review of the case file revealed that Petitioner never received the Office Action.

A search of the file jacket and docket records was then undertaken, which confirmed that Petitioner never received the Office Action. The undersigned informed the Examiner of the search results. The Examiner indicated she would issue a notice of abandonment, and suggested Petitioner file this Petition in response, to withdraw the abandonment of this case.

In support of the Petition, the undersigned hereby states that the February 28, 2006 Office Action was not received, and that a search of the file jacket of the above-identified case and of the docket record indicates that the Office Action was not received. In addition, transmitted herewith are copies of the Firm's docket record, attached as Exhibit A. The docket record shows responses due on May 28, 2006, and indicates that no response was due on that date for Application No. 10/729,945, which would correspond to an Office Action with a mailing date of February 28, 2006. Portions of the serial numbers listed in the docket record have been redacted to maintain confidentiality; however, the last few numbers of each serial number remain visible and are circled for easy comparison with the subject application number.

Pursuant to the decision in *Delgar v. Schulyer*, 172 U.S.P.Q. 513 (D.D.C. 1971), as modified by MPEP § 711.03(c)(I)(A), Petitioner hereby petitions under 37 C.F.R. § 1.181 to revive the subject application and respectfully requests a new Office Action be mailed which sets a new period for response that commences from the date on which the new Office Action is mailed.

Petitioner's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Gregory S. Weaver/
Gregory S. Weaver
Attorney for Petitioner
Registration No. 53,751

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

CA_MAIN 122965v1

EXHIBIT A

MASTER DOCKET - From 051706 to 060606

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006 Remarks	[REDACTED]	X	[REDACTED]	[REDACTED] 018
5/28/2006 Remarks	[REDACTED]	X	[REDACTED]	[REDACTED] 020
5/28/2006 Remarks	[REDACTED]	X	[REDACTED]	[REDACTED] 904
5/28/2006 Remarks	[REDACTED]	X	[REDACTED]	[REDACTED] 272
5/28/2006 Remarks	[REDACTED]	X	[REDACTED]	[REDACTED] 014

Done. Q. FS 5-30-06

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5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 454
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 823
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 453
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 687
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 282
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 83
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 3355
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 625

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5/30/2006 Remarks	[REDACTED]	[REDACTED]	Response to First Written Opinion Due	[REDACTED] 380
5/30/2006 Remarks	[REDACTED]	[REDACTED]	Response to First Written Opinion Due	[REDACTED] 380
5/30/2006 Remarks	[REDACTED]	[REDACTED]	3 month Office Action initial deadline	[REDACTED] 403
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 233
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 132
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 826
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 527
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 4135

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5/28/2006	Remarks	XXXXXX	Information Disclosure Statement Due	XXXXXX 31
5/28/2006	Remarks	XXXXXX	XXXXXX	XXXXXX 606
5/28/2006	Remarks	XXXXXX	XXXXXX	XXXXXX 586
5/28/2006	Remarks	XXXXXX	Information Disclosure Statement Due	XXXXXX 638
5/28/2006	Remarks	XXXXXX	Information Disclosure Statement Due	XXXXXX 1370
5/28/2006	Remarks	XXXXXX	XXXXXX	XXXXXX 102
5/28/2006	Remarks	XXXXXX	Information Disclosure Statement Due	XXXXXX 772
5/28/2006	Remarks	XXXXXX	XXXXXX	XXXXXX 600

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5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	3507
5/28/2006 Remarks	[REDACTED]	[REDACTED]	FINAL 3 month Office Action 2 month extension	3868
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	4944
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	830
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	2677
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	9554
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Renewal Grace Period	9824
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	1626

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5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 8930
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 964
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 2676
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 4947
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 674
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 4134
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 9631
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 3506

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5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 3856
5/28/2006 Remarks	03476-000600 [REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 3563
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 931
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 023
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 332
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 202
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 777
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 323

4-302

3 month Office Action initial deadline

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5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	112
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	100
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	859
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	2858
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	2012
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	2016
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	285
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	205

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5/28/2006 Remarks	[REDACTED]	X [REDACTED]	Information Disclosure Statement Due	[REDACTED] 877
5/28/2006 Remarks	01 [REDACTED]	X [REDACTED]	Information Disclosure Statement Due	[REDACTED] 041
5/28/2006 Remarks	0 [REDACTED]	X [REDACTED]	Information Disclosure Statement Due	[REDACTED] 136
5/28/2006 Remarks	0 [REDACTED]	X [REDACTED]	Information Disclosure Statement Due	[REDACTED] 188
5/28/2006 Remarks	[REDACTED]	X [REDACTED]	Information Disclosure Statement Due	[REDACTED] 159
5/28/2006 Remarks	[REDACTED]	[REDACTED]	2 month Office Action initial deadline	287 8123-002 [REDACTED] 4158
5/28/2006 Remarks	[REDACTED]	X [REDACTED]	Information Disclosure Statement Due	[REDACTED] 165
5/28/2006 Remarks	[REDACTED]	X [REDACTED]	Information Disclosure Statement Due	[REDACTED] 3698

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5/28/2006
Remarks
N
[REDACTED]
Power of attorney due to be filed
[REDACTED]
904

5/28/2006
Remarks
S
[REDACTED]
Information Disclosure Statement Due
[REDACTED]
754

5/28/2006
Remarks
S
[REDACTED]
Information Disclosure Statement Due
[REDACTED]
140

5/28/2006
Remarks
C
[REDACTED]
Notice to File Missing Parts initial deadline
[REDACTED]
2006; dec 11/10/06; IPT

5/28/2006
Remarks
C
[REDACTED]
Notice to File Missing Parts initial deadline
[REDACTED]
2006; dec 11/10/06; IPT

5/28/2006
Remarks
N
[REDACTED]
Power of attorney due to be filed
[REDACTED]
6233

5/28/2006
Remarks
N
[REDACTED]
Power of attorney due to be filed
[REDACTED]
PTA=92;
701

5/28/2006
Remarks
O
[REDACTED]
Information Disclosure Statement Due
[REDACTED]
11006 - No Second filing;
7299

2006-11-10
[REDACTED]
[REDACTED]

11/10/06

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5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 317
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 371
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5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 372
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 1781
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 107
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5/28/2006 Remarks	0 #2622	[REDACTED]	Information Disclosure Statement Due	256
5/28/2006 Remarks	0 (to DSS)	[REDACTED]	Information Disclosure Statement Due	349
5/28/2006 Remarks		[REDACTED]	Information Disclosure Statement Due	7182
5/28/2006 Remarks		[REDACTED]	Information Disclosure Statement Due	206
5/28/2006 Remarks		[REDACTED]	Information Disclosure Statement Due	288
5/28/2006 Remarks	0	[REDACTED]	Statement Interview Due	2271
5/28/2006 Remarks		[REDACTED]	Information Disclosure Statement Due	2034
5/28/2006 Remarks		[REDACTED]	Power of attorney due to be filed (to be filed with DWGS)	9439

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5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	628
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	357
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	488
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	332
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	959
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	639

201 125-120

3-month Office Action initial deadline

Drawings Correction Due

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5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 918
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 962
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 280
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Drawings Correction Due	[REDACTED] 280
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 698
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 189

5/30/06
3 month Office Action initial deadline

see above

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5/28/2006
Remarks

Information Disclosure Statement Due

434

5/28/2006
Remarks

Information Disclosure Statement Due

453

5/28/2006
Remarks

Information Disclosure Statement Due

376

5/28/2006
Remarks

Information Disclosure Statement Due

623

5/28/2006
Remarks

Information Disclosure Statement Due

068

5/28/2006
Remarks

Information Disclosure Statement Due

2703

5/28/2006
Remarks

1-month restriction + 1-month extension

322

5/28/2006
Remarks

3-month Office Action initial deadline

989

on 5/24/06.
on 5/30/06